



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2004.

RECEIVED

FEB 17 2004

OFFICE OF PETITIONS

Date 2/9/04

By [Signature]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)	
)	
Marcotte, et al.)	
)	
Serial No. 09 / 694,363)	Art Unit: 2855
)	Examiner: Martir, Lilybett
Filed: October 23, 2000)	
)	
For: PEAK FLOW METER)	
)	

RESPONSE TO OFFICIAL ACTION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Applicants thoroughly considered the Official Action dated May 9, 2003 and filed a Notice of Appeal on October 9, 2003 in response thereto. The Applicants herewith withdraw their appeal and have concurrently filed a Request for Continued Examination, this Response, and the attached Declaration Under 37 CFR §1.132 of John D.K. Karp, P.E., in response to the Official Action. In addition, a Petition for Two-Month Extension of Time, and the required extension fee have been concurrently filed.

The Applicants assert that amended claim 1, and claims 3 – 7 that depend therefrom, is allowable and, for the following reasons, request that the rejections be